

# Proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments.

Submission form on publicly notified – Proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments.

SubForm	PC12016	COVER SHEET	
<b>FOR OFFICE USE ONLY</b>			
		Submission Number	
Entered		Initials	
File Ref		Sheet 1 of	

FORM 5 Clause 6 of First Schedule, Resource Management Act 1991

SUBMISSIONS CAN BE	
<b>Mailed to</b>	Chief Executive, 401 Grey Street, Private Bag 3038, Waikato Mail Centre, Hamilton 3240
<b>Delivered to</b>	Waikato Regional Council, 401 Grey Street, Hamilton East, Hamilton
<b>Faxed to</b>	(07) 859 0998 <i>Please Note: if you fax your submission, please post or deliver a copy to one of the above addresses</i>
<b>Emailed to</b>	<a href="mailto:healthyrivers@waikatoregion.govt.nz">healthyrivers@waikatoregion.govt.nz</a> <i>Please Note: Submissions received by email must contain full contact details. We also request you send us a signed original by post or courier.</i>
<b>Online at</b>	<a href="http://www.waikatoregion.govt.nz/healthyrivers">www.waikatoregion.govt.nz/healthyrivers</a>
<b>We need to receive your submission by 5pm, 8 March 2017.</b>	

YOUR NAME AND CONTACT DETAILS		
Full name: South Waikato District Council		
Full address: Private Bag 7, Tokoroa 3444		
Email: Craig.Hobbs@southwaikato.govt.nz	Phone: 07-885-0340	Fax

ADDRESS FOR SERVICE OF SUBMITTER		
Full name: As above		
Address for service of person making submission: As above		
Email: As above	Phone: As above	Fax

TRADE COMPETITION AND ADVERSE EFFECTS (select appropriate)
<input type="checkbox"/> I could / <input checked="" type="checkbox"/> could not gain an advantage in trade competition through this submission.

**THE SPECIFIC PROVISIONS OF PROPOSED PLAN CHANGE 1 THAT MY SUBMISSION RELATES TO**

*Please state the provision, map or page number e.g. Objective 4 or Rule 3.11.5.1  
(continue on separate sheet(s) if necessary.)*

Refer Submission by South Waikato District Council that includes:  
Appendix 1: Specific Provisions that Council Submission relates to; and  
Appendix 2: Our District – An Economic and Community Profile.

**I SUPPORT OR OPPOSE THE ABOVE PROVISION/S**

*(select as appropriate and continue on separate sheet(s) if necessary.)*

Refer Submission by South Waikato District Council that includes:  
Appendix 1: Specific Provisions that Council Submission relates to; and  
Appendix 2: Our District – An Economic and Community Profile.

**MY SUBMISSION IS THAT**

*Tell us the reasons why you support or oppose or wish to have the specific provisions amended.  
(Please continue on separate sheet(s) if necessary.)*

Refer Submission by South Waikato District Council that includes:  
Appendix 1: Specific Provisions that Council Submission relates to; and  
Appendix 2: Our District – An Economic and Community Profile.

**I SEEK THE FOLLOWING DECISION BY COUNCIL**

*(select as appropriate and continue on separate sheet(s) if necessary.)*

Refer Submission by South Waikato District Council that includes:  
Appendix 1: Specific Provisions that Council Submission relates to; and  
Appendix 2: Our District – An Economic and Community Profile.

*Amend as follows:*

PLEASE INDICATE BY TICKING THE RELEVANT BOX WHETHER YOU WISH TO BE HEARD IN SUPPORT OF YOUR SUBMISSION

I wish to speak at the hearing in support of my submissions.

**JOINT SUBMISSIONS**

If others make a similar submission, please tick this box if you will consider presenting a joint case with them at the hearing.

IF YOU HAVE USED EXTRA SHEETS FOR THIS SUBMISSION PLEASE ATTACH THEM TO THIS FORM AND INDICATE BELOW

Yes, I have attached extra sheets.

**SIGNATURE OF SUBMITTER**

*(or person authorised to sign on behalf of submitter)*

*A signature is not required if you make your submission by electronic means.*

Signature

*Shattock*

Date

*6-3-2017.*

Personal information is used for the administration of the submission process and will be made public. All information collected will be held by Waikato Regional Council, with submitters having the right to access and correct personal information.

PLEASE CHECK that you have provided all of the information requested and if you are having trouble filling out this form, phone Waikato Regional Council on 0800 800 401 for help.



**SUBMISSION BY THE SOUTH WAIKATO DISTRICT COUNCIL**

**PROPOSED WAIKATO REGIONAL PLAN CHANGE 1-WAIKATO & WAIPA RIVER CATCHMENTS**

**The South Waikato District Council:**

1. Supports the Proposed Waikato Regional Plan Change 1 - Waikato & Waipa River Catchments (PRPC1) in parts, as it aims to achieve the Vision and Strategy for the Waikato and Waipa Rivers, for which the South Waikato District lies partly therein; and
2. Opposes the Regional Plan Change in other parts, given the potential adverse economic and social costs on the South Waikato District that will result from its implementation.
3. Supports the principle of sustainable management as defined under section 5 of the Resource Management Act 1991 (RMA 1991), and on this basis, the Regional Plan Change:
  - Does not provide certainty and clarity relating to the interpretation and administration of its provisions for land owners and land managers in the District;
  - Does not provide for methods of implementation that are affordable to the South Waikato community; and
  - Does not incentivise land owners and land managers to achieve sustainable environmental outcomes in the district;
4. And on this basis, the District Council:
  - Requests effects based rules to regulate land use practices and activities that are in proportion to the conditions or scale of the environmental effects being addressed; and
  - Requests the withdrawal of RPC1 to provide time for a targeted approach to identify all impacts on sub-catchments and communities together with rules and alternative methods of implementation, to promote sustainable community and sub-catchment solutions, with the expectation that the Regional Council will then re-notify an amended Regional Plan Change 1; or
  - If the Regional Council does not withdraw RPC1, the District Council requests amendments to parts of the Regional Plan Change 1 to satisfy section 32 RMA 1991 to provide provisions that are understandable, practicable, cost-effective and fair with their implementation to achieve an effects based resource management framework.

**INTRODUCTION**

This **Introductory Statement** is to read in **conjunction with Appendix 1** (the detailed relief sought under 4. above in relation to specific provisions) and **Appendix 2** (Our District – An Economic and Community Profile).

This **Introduction** presents the **Reasons** (in the form of key ‘high-level’ submission points and overarching commentary) for opposing parts of the Proposed Regional Plan Change 1 (PRPC1) in part.

This commentary follows from the Council’s engagement with our community during the public notification period. This has included several Councillor workshops, discussions with sector groups that have a significant presence in the district and a meeting with the Raukawa Settlement Trust with which the District Council has a Joint Management Agreement.

Groups consulted include Federated Farmers, Fonterra, Beef and Lamb NZ, Ata Rangī Pastoral, representatives of drystock farmers, Oji Fibre Solutions, Hancocks Forest Management (NZ) Limited, and various point source consent holders.

The South Waikato district has a unique economic and community profile within the Waikato Region. As a consequence, the potential effects on the district as a result of implementing Plan Change 1 will be both unique and adverse. Appendix 2: Our District – An Economic and Community Profile, provides this background.

The District Council vision responds to this reality: “Healthy people striving in a safe, vibrant and sustainable community”. Nine strategies are in place to give meaning to the vision and to promote a sense of identity for the residents of the district. The District Council submission has been prepared ‘looking through the lens’ of these District aspirations mindful of other obligations to our community under the Local Government Act – to meet the current and future needs of communities for good quality local infrastructure, local public services, and the performance of regulatory functions in a way that is most cost-effective for households and businesses.

A regional plan change must therefore reflect three important characteristics if it is to align with this District’s stated vision; specifically, clarity of purpose, certainty in its implementation and affordability. And, if resource management solutions are to be enduring, they must be community-led to deliver on the stated goal of the Vision and Strategy.

#### **Achieving the Vision and Strategy**

The Vision and Strategy for the river catchments focuses on measures to redress the degradation of water quality to make it safe for swimming and to take food over its entire length. This is an inter-generational goal. It is also an aspirational statement. The Plan Change seeks to attain this goal over an 80-year horizon. The Council submission is that, while comfortable with this goal, this Plan Change is not certain to deliver on this goal, and is not affordable for the South Waikato community.

Council’s understanding from reviewing the extensive literature supporting this Plan Change is that there is a science and technology ‘gap’ to be closed before sustained environmental improvements can be achieved beyond the first ten-year period, to be able to achieve the above goal.

So the immediate and direct economic and social/community costs of this Plan Change must be considered against future yet-to-be realised (intangible) benefits to the two catchments in this region of achieving a swimmable river and a river that provides a sustainable food source along its whole length. While supporting this strategic vision, the Council submission is:

***The section 32 evaluation has not demonstrated that the elements of the Regional Plan Change do provide a ‘fit for purpose’ approach to achieving the Vision and Strategy for the Waikato River.***

Council also suggests that there are learnings from the approaches already adopted or currently being considered by other Regional Councils to tackle similar issues. Some examples are the Proposed Environment Southland Regional Plan, the Regional Plan: Water for Otago, Plan Change 6 to the Hawkes Bay Regional Plan (Tukituki Catchment) and the Canterbury Land and Water Plan.

A preliminary examination of such plans suggests that current best practice in New Zealand is for Regional Plans to take into account:

- Land management that is related to land use capability, sub-catchment planning and community/land owner participation; e.g. the “physiographic zones” proposed in Southland;

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- Sub-catchments being classified in terms of their current environmental profile and in relation to their proposed water quality targets; e.g. the Canterbury Regional Plan;
- The retention of Farm Management Plans as a property based approach to achieving improved and sustained environmental performance;
- The adoption of various contaminant ‘caps’ based on land use classification classes; e.g. the operative HBRC rules for the Tukituki catchment;
- ‘Dairy conversion’ being considered in a more flexible manner depending on land use classification; e.g. Rule 22 of the Proposed Southland Regional Plan;
- Higher area thresholds for properties required to provide annual monitoring and compliance reporting for example, adopting a 10-hectare threshold as in Hawkes Bay; and
- Farming and cultivation practices including riparian management on steeper lands being refined to achieve practicable and cost effective outcomes.

Council’s second key submission point is:

***A thorough comparative evaluation of the provisions of RPC1 be undertaken along with the assessment of the above examples of alternative methods to establish and adopt the most efficient and effective suite of methods to implement the Vision and Strategy.***

### **Enabling people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety**

The District is the most negatively economically impacted by this ‘first-step’ Plan Change and any future Plan change beyond the ‘10%-10 year goal’. For example, “*Integrated Assessment 2: Achieving water quality for swimming, taking food and healthy biodiversity. Assessment of Scenario 1 steps 10%, 25% and 50% from case 1 of modelling round 2*” records that in the Upper Freshwater Management Unit (FMU), which is a proxy for the South Waikato:

- There will be the highest level of impact in terms of job losses (under the Vibrant Resilient Communities Indicator);
- Upgrades to wastewater treatment infrastructure will create affordability issues (under the Infrastructure Indicator); and
- The largest effects in employment will be losses in dairy farming and related processing with limited gains from the forestry industry (Economic Indicators - Value added).

In summary, the district is predicted to experience population and job losses. A declining and ageing population in both the towns and rural areas will impact adversely on the district rating base. This will reduce our communities’ abilities to pay for and maintain infrastructure services. This includes including upgrading wastewater treatment facilities to meet the proposed performance obligations resulting from the Plan Change (discussed below) and to access public services generally. The ability to pay is further constrained by an ageing population and their reliance on fixed incomes to meet their living costs.

The District Council’s third key submission point is:

***The section 32 evaluation has not taken into account the adverse and significant social, economic and cultural wellbeing effects of RPC1 on the communities of South Waikato and how those effects can be avoided, remedied or mitigated.***

**Permitted Activity Rules - Interpretation, Administration and Costs**

Council supports Farm Environment Plans in principle as a means of compliance in circumstances where performance standards are not met for permitted activities and alternative on-farm measures are required as part of a consenting process. Farm Environment Plans would apply in this case - being a hands-on, property-specific framework for land managers to bring together their local knowledge and the applied sciences to establish localised and implementable 'solutions' to achieve sustainable management. This alternative approach will encourage land owners and managers to self-regulate their business activities and their environmental footprint in a more cost appropriate and tailored manner.

However, the establishment and administration of the proposed rules that 'wrap around' Farm Environment Plans and in establishing Nitrogen Reference Points will require substantial and ongoing/periodic collection and reporting of data from landowners, and the assembly of reports on a property basis. These reports have to be prepared by certified technical experts. This predicted 'tidal wave' of technical analyses is in a comparatively narrow and emerging field of science. How readily available are/will be appropriately qualified professionals to provide this advice in a timely manner to the regulator and to landowners? Council is concerned that the consenting process will become overloaded with applications to frustrate their processing. There will also be a staff resourcing and cost burden on the administrator (WRC) and a further direct cost and compliance burden that does not exist at present on landowners.

The District Council's fourth key submission point is:

***The information gathering and consent administration burden that underpins these permitted activity rules (Rules 3.11.5.1 and 3.11.5.2) be dispensed with, as part of a fully integrated section 32 evaluation to assess whether this level of regulation is justified when measured alongside other reasonably practicable options (s32(1)(b)(i)) in terms of their effectiveness and efficiency to achieve the Vision and Strategy.***

The Council's fifth submission point is:

***Adopt an alternative set of rules that incorporate performance standards for those currently listed primary production activities under Rules 3.11.5.1. and 3.11.5.2.***

**Application of Nitrogen Reference Points to the administration of Rules 3.11.5.2-3.11.5.7**

Nitrogen Reference Points (NRPs) are required to be provided under Schedule B, clause f) and are to be set or benchmarked against one of two pre-selected years. NRPs then apply, by way of cross-referencing to the administration of Rules 2-6 and also underpin the considerations for Rule 7.

However, it is Rule 4 that creates the 'grandparenting' of nitrogen leaching based on leaching 'performance' above or below the 75% cap when read in conjunction with Schedule B, clause f). This creates a perverse environmental outcome; the adoption of 'grandparenting' nitrogen leaching where the allocation of a future resource right to discharge nitrogen will be based on the existing recorded level of nitrogen leaching. Effectively, this means the right to pollute is retained by the biggest polluters.

The Council 's sixth submission point is:

***Rule 3.11.5.4 and the wider application of rules applying the Nitrogen Reference Point is perverse and unfair or inequitable and should be deleted. In its place should be an allocation approach with rules and performance standards to manage nutrient discharges and water quality.***

**Rule 3.11.5.7: Non-Complying Activity Rule - Land Use Change**

This rule has immediate effect and imposes a moratorium on land intensification in South Waikato district. This will deliberately constrain land managers from responding to market changes and business operational pressures, and where necessary, introducing new farming practices without first having to gain resource consent. With the proposed non-complying activity status attached to this rule, then all land managers seeking to pursue ‘intensification’ and or diversification must satisfy the stated ‘gateway tests’ under section 104D of the RMA 1991 – the adverse environmental effects will be minor and / or the activity will not be contrary to the objectives and policies of the Plan Change. This is a high threshold to satisfy.

Rule 3.11.5.7 is a blunt response to promote sustainable resource management and is likely to be inflexible and not enabling of innovative approaches and sub-catchment management responses from land managers. This rule should be deleted or its activity status changed as alternative methods or a package of alternative methods can equally achieve the objectives of the RPC 1.

The District Council’s seventh key submission point is:

***The activity status of Rule 3.11.5.7 be amended to at least (meaning be no more restrictive than) Discretionary activity as a basis to consider proposals that promote innovation and adopt best practice approaches, and diversified and integrated farming and forestry production enterprises.***

Council’s view is based on the experience of the last decade where land intensification has provided wide ranging benefits to the South Waikato. Council has supported this process while seeking to manage associated adverse environmental effects as a controlled activity in the operative District Plan. Conversion of forestry land to dairy farming has been well managed and has provided the district with additional employment and economic benefits. This is in the context of a district that until recently, has experienced continual decline in population and employment.

Rule 3.11.5.7 also creates a perverse environmental outcome; the adoption of ‘grandparenting’ land use change. Under the rule, the past or current use of land will govern its future use and this is contrary to the purpose of sustainable resource management.

The District Council’s eighth key submission point is:

***Rule 3.11.5.7 is perverse and unfair or inequitable in its application and should be deleted. In its place should be an allocation approach with rules and performance standards to manage nutrient discharges and water quality.***

The District Council’s ninth key submission point is:

***Production enterprises already granted Certificates of Compliance under section 139 RMA 1991 by the District Council but are currently ‘caught’ by Rule 3.11.5.7 should be able to be fully implemented as a restricted discretionary activity; that is, have their milking platforms operational and to function as a dairy unit. This will give certainty to land managers to implement their consents and support their committed investment in the conversion process.***

**Management of Point Source Discharges**

As is the case with all territorial authorities, the South Waikato District Council is an asset manager operating infrastructure services, and in this case, to comparatively small urban communities. These facilities are managed by long term regional resource consents (for point source discharges) that will also be affected by the Plan Change. These assets include:

- Tokoroa wastewater treatment plant (WWTP) that serves a population of 12,243;
- Putaruru WWTP that serves a population of 3,777 but is sited in the Waihou catchment;
- Tirau WWTP that serves a population of 637 but is in the Waihou catchment;
- Arapuni WWTP that serves a population of 300.

The current funding policy is that all residents who are serviced by a Council reticulated wastewater system pay the same rate for wastewater. This means that any upgrade within the Waikato catchment for instance, to upgrade the Tokoroa and Arapuni WWTPs will be funded approximately 70% from Waikato catchment and 30% by Waihou catchment residents. At this stage Council estimate that the capital cost to upgrade the WWTPs in the Waikato catchment to a standard that will meet the 30 year vision targets will be between \$10 million and \$18 million. There is also an additional annual cost increase of about \$550,000 per year to operate these WWTPs to these higher treatment standards.

Over the 30 year period the total cost of increasing the performance of the two Waikato WWTPs to a standard that meets the 30 year vision guidelines could be as much as \$35 million. This would represent a cost increase for wastewater services of about \$4,500 per rateable property or about \$150 per rateable property per year. It is acknowledged that this cost would be payable by urban residents both within the Waihou and Waikato catchment.

When as expected, there is a requirement to improve wastewater treatment in the Waihou catchment the cost to communities both within the Waikato and Waihou catchments will be in addition to the costs discussed previously. It is estimated at this stage that the cost of improving WWTPs within the Waihou catchment could be up to \$17 million over 30 years or approximately an increased cost of \$2,250 per rateable property or \$75 per property per year for urban ratepayers over these 30 years. The cost of complying with the stated water quality standards beyond the 30 year targets have not been assessed at this stage.

These community assets are managed in the context of a district population that only in recent years has reversed decline, to start growing (by about 1.3% over the last year) and an economy that now is beginning to experience growth.

While not all spend on infrastructure upgrades may be directly associated with the regional plan change, RPC1 will be a contributing cost to meeting higher quality discharge standards and the ability of the communities to fund such costs remains a significant community issue. A sizeable economic cost carried by district ratepayers may in the end result in only marginal and sustained environmental improvements compared to the total contaminant load in a catchment.

The District Council's tenth key submission point is:

***Affordability is a fundamental concern for the management, maintenance and upgrade of 3 Waters infrastructure and rules must relate to the 30-year infrastructure programme required under the Local Government Act as well as recognising burdensome community funding costs through enabling the staged upgrade of plants to achieve targeted environmental outcomes.***

#### **Procedural Complexity associated with Judicial Review**

The partial withdrawal of the Proposed Plan Change on 3 December 2016 to undertake consultation with Hauraki iwi authorities does not directly affect any sub-catchments in South Waikato but does add considerable uncertainty and confusion to the statutory process. This is because:

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- It now is unclear whether an additional period for submissions will be required to enable all communities to consider any amendments to the notified Plan Change that arise from this consultation;
- It will impose additional staff time and cost on Council considering and responding with an additional submission; and
- It undermines the integrated resource management framework promoted in the notified Plan Change.

The District Council's eleventh key submission point is:

***That an extended period for further submissions be adopted or a further variation to the Plan Change considered, once amendments to RPC1 are available to accommodate those matters raised by Hauraki iwi.***

### CONCLUSION

The District Council considers it both appropriate and necessary to use its own District Vision as a measuring stick to assess the community wide impacts of Plan Change 1 and by taking into consideration the following principles:

- There must be a well-supported, technically robust rule framework as a basis for intervention applying to all primary production activities;
- Rules must be able to be understood and practical to adopt across a range of primary production enterprises;
- Rules (interventions) must be measured against the goal of encouraging changes in farm management behaviours towards achieving best practice. Rules must not to lock up or foreclose future land use opportunities for managers by hindering flexibility, capacity and capability to respond to international markets, commercial factors, and seasonal weather patterns;
- Consenting regimes should be 'fair', environmental outcome focused and sector neutral to avoid sudden changes to the sustainable (economic, social and environmental) operation of business and any associated impacts on a community that has existing high levels of deprivation; and
- An equitable approach must be adopted to the management of all diffuse discharges.

South Waikato District Council promotes these key submissions within the context of the RMA 1991 and Regional Plan Change 1. Our residents are both district and regional ratepayers and therefore the implications of its provisions on the economic, social and cultural wellbeing (resilience, vibrancy and sustainability) of our community is a legitimate 'effect' to consider under the RMA.

The submission attached as **Appendix 1** reinforces these general and specific concerns by addressing:

3.11.2 Objectives;

3.11.3 Policies;

3.11.4 Methods of Implementation;

Schedule A – Registration with Waikato Regional Council;

Schedule B – Nitrogen Reference Point;

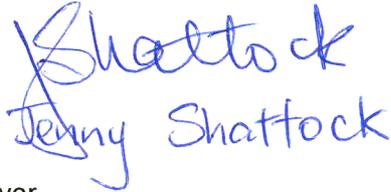
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Schedule C – Stock Exclusion;

Schedule 1 – Farm Environment Plans; and

3.11.5 – Rules.

Signature:



Name:

Position: Mayor

Signature:



Name: Craig Hobbs

Position: Chief Executive

Date: 8 March 2017

Attachments:

*Appendix 1: Specific Provisions that Council Submission relates to*

*Appendix 2: Our District – An Economic and Community Profile*

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**APPENDIX 1: SOUTH WAIKATO DISTRICT COUNCIL SUBMISSION: WAIKATO REGIONAL PLAN CHANGE 1 – WAIKATO & WAIPA RIVER CATCHMENTS**

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO OBJECTIVES (3.11.2)	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT SOUTH WAIKATO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
Objectives 1-6	Oppose in part Objectives seek the achievement of the restoration and protection of the 80-year water quality ‘targets’ when the science indicates that this outcome may not be able to be achieved based on the adoption of current technologies and land management practices. This is acknowledged in Principal Reasons, and noted in relation to Objective 2.	Review and set realistic objectives that acknowledge the intergenerational time period will likely be at least 80 years. This timeframe is conditional on the development of the supporting sciences, modelling and changing land management practices and their impacts on communities in the two catchments and the South Waikato District
Objective 2: Social, economic and cultural wellbeing is maintained in the long term	Support. Mirrors part of the section 5 sustainability purpose of the Act. This acknowledges that sustainability encompasses consideration of social, economic and cultural well-being and health and safety parameters in decision.	Retain this objective
Objective 3: Short term improvements in water quality in the first stage of restoration and protection of water quality for each sub-catchment and Freshwater Management Unit	Oppose in part. Amend to clarify that it may not be possible to actually demonstrate attaining the short-term targets set out in Table 3.11-1 by 2026, and that this may occur sometime after this date but desirably by 2036.	Amend objective to read: <i>Changes to water management and land use are implemented by 2026 that achieve 10% of the required change between current water quality and the 80-year water quality attribute targets in Table 3.11.1 in the period desirably to 2036.</i>
Objective 4: People and community resilience	Oppose in part.  Unclear what this objective intends when applying the qualifications set out in sub clauses a. and b. that cross references to Objective 1. Reasons do not reflect what the objective currently says – intention is to manage impacts during the transition while ensuring that the overall costs to people and communities can be sustained.	Redraft objective to read: <i>A staged approach to land use change is managed to minimise the impacts of transition on the social, economic and cultural wellbeing of communities in the short term.</i> Amend the Reasons accordingly.

SOUTH WAIKATO DISTRICT COUNCIL SUBMISSION – APPENDIX 1

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO POLICIES (3.11.3)	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT SOUTH WAIKATO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
Policies: 1-17	<b>Oppose in part</b> <b>General lack of clarity in the drafting of the policies leads to uncertainty about their application when considering future resource consent applications</b>	<b>Review, redraft to improve clarity, meaning and certainty of the policies for their application in decision making on resource consents.</b>
Policy 1: Manage diffuse discharges of nitrogen, phosphorous, sediment and microbial pathogens	Support in part. Meaning of the terms referred to in ‘a.’ and ‘b.’ respectively – ‘low level of contaminant discharge’ and ‘moderate to high levels of contaminant discharge..’	Amend to incorporate an agreed, measurable and enforceable baseline for each of the four diffuse discharges from which these general terms can then be measured or benchmarked.
Policy 2: Tailored approach to reducing diffuse discharges from farming activities	Support in part. Support reference to Farm Environment Plan as a management mechanism. Sub-clause ‘c.’ should inform on the means to provide for a Nitrogen Reference Point. Sub-clause ‘e.’ sets a blanket timeframe of 1 July 2026 for stock exclusion that may not be realistic to adopt on a property or enterprise basis and should be reviewed.	Amend ‘c.’ to read: <i>c... Establishing a Nitrogen Reference Point for a property or enterprise based on using industry or sector group accepted models or similar.</i> Amend ‘e.’ to read: <i>e. Requiring stock exclusion to be completed within the timeframes set out in a Farm Environment Plan.</i>
Policy 4: Enabling activities with lower discharges to continue or be established while signalling further change may be required	Support in part. Clarify meaning of the term ‘new low discharging activities’. Clarify meaning of the phrase ‘.. provided that cumulatively the achievement of Objective 3 is not compromised.’ Explain why reference is made solely to Objective 3, and not Objectives 2 and 4.	Redraft as per the relief set out under Policy 1 to provide for agreed, measurable and enforceable base lines for each of the four diffuse discharges that are required to be monitored on a case by case basis. Amend to read: <i>Policy 4 Enable activities with discharges of low volumes and concentrations of contaminants to continue or to establish while signalling further contaminant reductions may be required.</i> <b>add amended text</b>
Policy 5: Staged approach	Support in part. Add the words to reflect that an intergenerational time period is at least 80 years and not just 80 years Add ‘...to minimise social disruption <u>on a sub catchment or catchment basis...</u> ’	Amend to read ‘..targets set out in Table 11-1 will need to be staged over <u>at least 80 years..</u> ’ Amend to read: <i>‘...to minimise social disruption <u>on a sub catchment or catchment basis...</u>’</i>
Policy 6: Restricting land use change	Oppose in part.  This policy contains two statements. Delete the first sentence as it does not inform decision makers when considering resource consent applications.	Delete the first sentence and re-draft the remaining sentence to improve clarity and interpretation.

SOUTH WAIKATO DISTRICT COUNCIL SUBMISSION – APPENDIX 1

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO POLICIES (3.11.3)	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT SOUTH WAIKATO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
	Amend second sentence to clarify what is meant by ‘...demonstrate clear and enduring decreases in existing diffuse discharges...’	
Policy 7: Preparing for allocation in the future	Oppose in part. Delete first paragraph as this provides an explanation of the broad range of methods proposed to contribute to an allocation model for nutrient management. Retain the description of the principles to be adopted when determining future allocation. It is inappropriate to provide the footnote; and if the criteria are appropriate then they should form part of the policy or a further policy be drafted on the allocation principles. Retain clause ‘c’.	Redraft to: Delete first paragraph; and Amend the sentence commencing “Any future allocation should consider...” to incorporate the footnote. Retain clause ‘c’ that reads: <i>Minimise social disruption and costs in the transition to the ‘land suitability’ approach</i>
Policy 8: Prioritised implementation:	Oppose in part. Clarify the basis for the determining the ‘75 <sup>th</sup> percentile nitrogen leaching value dischargers’. Is it based on the number of property owners above the 75 <sup>th</sup> percentile or the total land area under production above the 75 <sup>th</sup> percentile at a specific date?	Redraft rule to remove the uncertainty over interpretation and application of its provisions.
Policy 9: Sub-catchment mitigation planning, co-ordination and funding	Support in part Include reference to local authorities as part of sub-catchment planning in sub-clause a. as Councils are a recognised voice for their local communities.	Amend ‘a’ to read: <i>“Engaging early with <u>local authorities</u>, tangata whenua and with land owners, communities...”</i>
Policy 10: Provide for point source discharges of regional significance	Support in part. Allows consented water users to continue for the duration of the term of their consent. Provide certainty for significant investment in publicly managed network infrastructure services such as water, stormwater and wastewater (3 Waters) by defining and including the term ‘regionally significant infrastructure’ in Plan Change, as sourced from Regional Policy Statement. Define and include the term ‘regionally significant industry’ in the Plan Change as sourced and further amended from Regional Policy Statement to provide clarity as to what this term means.	Retain with amendments that define: <i>Regionally significant infrastructure means ‘municipal wastewater treatment plants, water supply treatment plants and bulk water supply, wastewater conveyance and storage systems, municipal supply dams and ancillary infrastructure.’</i> <i>Regionally significant industry means ‘an economic activity based on use of natural and physical resources in the region which have benefits that are significant at a regional or national scale. These may include social, economic or cultural benefits or a combination thereof. Regional significant industry includes:</i> a) Dairy manufacturing sites; b) Meat processing plants; and c) Pulp and paper processing plants.

SOUTH WAIKATO DISTRICT COUNCIL SUBMISSION – APPENDIX 1

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO POLICIES (3.11.3)	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT SOUTH WAIKATO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
Policy 11: Application of Best Practicable Option and mitigation or offset of effects to point source discharges	<p>Support the requirement to adopt the 'Best Practicable Option'.</p> <p>Oppose in part:</p> <p>Clarify that the principle of the point source discharger being able to implement offset measures:</p> <ul style="list-style-type: none"> <li>• as part of measures to avoid, remedy or mitigate adverse effects;</li> <li>• to be in alternative locations and or sub-catchments;</li> <li>• that are available for more than one type of contaminant; and</li> <li>• can be staged over the period of the resource consent.</li> </ul>	Amend policy to reflect these proposed changes.
Policy 12: Additional considerations for point source discharges in relation to water quality targets	<p>Oppose in part.</p> <p>Amend the open-ended nature of the policy to state that the 'additional considerations' will be taken account at the time consent applications for point source discharges are being considered.</p>	<p>Amend to add the following text:</p> <p><i><u>'When considering consent applications for point source discharges, consider the contribution made....'</u></i></p>
Policy 13: Point sources consent duration	<p>Oppose in part.</p> <p>The rationale for adopting the reference to 25 years in clause a. is unclear. Replace the reference with '30' years to be consistent with the planning framework of 30 years required for infrastructure strategies prepared under the Local Government Act.</p> <p>Provide for the staged investment and staged implementation of contaminant reduction measures to take account of a community's ability to fund the necessary measures.</p>	<p>Amend the policy to refer to 30 years in clause a. and to read as follows:</p> <p><i><u>'When determining an appropriate duration for any consent granted consider the following matters:</u></i></p> <ol style="list-style-type: none"> <li>a. <i><u>A consent term exceeding 30 years, where.....'</u></i></li> </ol> <p>Amend the policy in clause b. as follows:</p> <ol style="list-style-type: none"> <li>b. <i><u>The magnitude and significance of the investment made or proposed to be made in contaminant reduction measures and any resultant improvements in the receiving water quality while taking into account the timing and cost to the communities associated with implementing such measures.</u></i></li> </ol>
Policy 16: Flexibility for development of land returned under Te Tiriti o Waitangi settlements and multiple owned Maori land.	<p>Support in part.</p> <p>While this provides a specific and qualified exemption for Maori land, the matters listed under i-iii should also be consistent with and be reflected in Policy 7.</p>	Redraft to make the intention and scope of the policy clear.
Policy 17: Considering the wider context of the Vision and Strategy	<p>Oppose in part.</p> <p>This is a wide ranging, pro-active 'catch all' policy which could, if adopted, provide unreserved scope to influence decisions on resource consents.</p>	Redraft to make the intention and scope of the policy clear.

*SOUTH WAIKATO DISTRICT COUNCIL SUBMISSION – APPENDIX 1*

<b>SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO POLICIES (3.11.3)</b>	<b>COUNCIL SUBMISSION Support/Oppose and with reasons</b>	<b>DECISION THAT SOUTH WAIKATO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE</b>
	Therefore, if adopting measures that also achieve environmental outcomes noted in clauses a. and b. then these measures should be recognised and the policy amended to reflect this.	

SOUTH WAIKATO DISTRICT COUNCIL SUBMISSION – APPENDIX 1

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO 3.11.4 IMPLEMENTATION METHODS	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT SOUTH WAIKATO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
3.11.4.1 Working with others	Support Acknowledges that territorial authorities are an important stakeholder in the process of developing and implementing the provisions of this Plan Change.	Retain.
3.11.4.6 Funding and Implementation	Support in part. Acknowledge that for a district such as South Waikato that is most negatively affected by these changes there are opportunities to: <ul style="list-style-type: none"> <li>• Consider the deferment or staged implementation of environmental standards for upgrades to 3 Waters infrastructure services;</li> <li>• Consider cost sharing associated with the review of the District Plan to ensure its provisions are not inconsistent with operative regional policy.</li> </ul>	Add two new clauses as follows: <ul style="list-style-type: none"> <li>c. <i>Work with territorial authorities to examine options for and to implement contaminant reduction measures associated with point source discharge consents for infrastructure services that are affordable to local communities.</i></li> <li>d. <i>Provide financial support for the reviews of District Plans that aim to achieve the alignment of district and regional planning provisions that give effect to the Vision and Strategy.</i></li> </ul>

SOUTH WAIKATO DISTRICT COUNCIL SUBMISSION – APPENDIX 1

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO SCHEDULE A	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT SOUTH WAIKATO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
All Schedules (Schedules 1, 2, A, B, and C)	Oppose in part The section 32 evaluation has not demonstrated that the methods, limits/standards/conditions have been robustly set, can be understood and applied by the landowner/manager and are able to be enforced by the regulator.	Review provisions and amend as appropriate, as set out below.
Schedule A-Registration with Waikato Regional Council	Point 1: Oppose provision for all properties with an area greater than 2 hectares must be registered. What is the rationale and section 32 justification for the 2 ha threshold?	Delete the 2-hectare threshold and replace with a higher minimum property area threshold for reporting purposes, such as 10 hectares.
	Point 5d. Oppose. A description of land use activity as at 22 October 2016 It is not clear or certain what level of detail is required, and whether owners can reasonably be expected to have records on the pattern of land use and or stock or production activities being undertaken on that date. Clarify the intention of this information requirement.	Clarify what type and level of information is required; is it those activities actually occurring on the property on the nominated day or seasonally based or based on the profile during the month of October for example?
	Point 5f: Oppose. <i>Where the land is grazed, the stocking rate of the animals grazed on the land.</i> The terms <i>grazed land</i> and <i>stocking rate</i> are unclear in their interpretation, to result in confusion in their understanding, application and the reporting required. Is this to be read literally, as at 22 October 2016?	Provide guidance on the interpretation of this standard to assist landowners understand and meet these standards. Provide evidence that the section 32 evaluation confirms this is the preferred approach to adopt to achieve the objectives of the Vision and Strategy.
	Point 6. Oppose. Clarify the information required to provide consistent quality mapping for reporting purposes.	Provide guidance on mapping requirements to assist landowners understand and meet these standards.

SOUTH WAIKATO DISTRICT COUNCIL SUBMISSION – APPENDIX 1

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO SCHEDULE B	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT SOUTH WAIKATO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
Schedule B-Nitrogen Reference Point	Oppose: The adoption of ‘grandparenting’ nitrogen leaching. This means the right to pollute is retained by the biggest polluters. The Council questions the fairness of this approach and re-iterates the community’s desire to promote alternative approaches to address sustainable land and water management.	Review to provide an effects based approach to contaminant management including nitrogen leaching.
	Opening sentence. Support in part. Delete the brackets as they are un-necessary and unhelpful to the interpretation of the provisions.	Amend provision to read: <i>A property or enterprise with a cumulative area greater than 20 hectares (or any property or enterprise used for commercial vegetable production) must have a nitrogen Reference Point calculated as follows...</i>
	Point a. Support in part. Are there skilled, experienced and technically competent people capable of advising the Council and landowners on these provisions in a timely and efficient manner?	Provide evidence that the section 32 evaluation confirms this is the preferred approach to adopt and there are appropriately qualified and experienced professionals able to provide this information, as a contributing basis to achieve the objectives of the Vision and Strategy.
	Table 1. Support in part. Question the appropriateness/suitability of reliance on Overseer modelling to establish the Nitrogen Reference Point in any given situation. Question its appropriateness to be applied as a regulatory tool to set standards for compliance from the derived data.	Provide evidence that the section 32 evaluation confirms this is the preferred approach to adopt regarding the efficiency and effectiveness of this method and rule.

SOUTH WAIKATO DISTRICT COUNCIL SUBMISSION – APPENDIX 1

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO SCHEDULE C	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT SOUTH WAIKATO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
Schedule C- Stock exclusion	Oppose in part. Imposes immediate, short term and medium term costs and onerous reporting requirements on landowners.	Provide evidence that the section 32 evaluation confirms this is the preferred approach to adopt regarding the efficiency and effectiveness of this method and rule. Work with landowners, sector groups and communities to provide alternative practicable measures to achieve the same environmental outcomes.
	Point 2 Oppose. <i>New fences installed after 22 October 2016 must be located to ensure cattle, horses, deer and pigs cannot be within one metre of the bed of a water body (excluding constructed wetlands).</i> The inconsistency of administration of the Plan Change when this rule is applied alongside the Rules in Schedule 1.2. It is not clear how the regulator can confirm compliance on a property by property basis and whether the rule itself is able to be enforced.	Delete provision.

SOUTH WAIKATO DISTRICT COUNCIL SUBMISSION – APPENDIX 1

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO SCHEDULE 1	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT SOUTH WAIKATO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
Schedule 1-Requirements for Farm Environment Plans	Oppose in part. Imposes immediate, short term and medium term costs and onerous reporting requirements on landowners.	Provide evidence that the section 32 evaluation confirms this is the preferred approach to adopt regarding the efficiency and effectiveness of this method and rule. Work with landowners, sector groups and communities to provide alternative practicable measures to achieve the same environmental outcomes.
	Completion of a Farm Environment Plan by a Certified Farm Environment Planner. The costs associated with landowner reporting underpinned by the need for and cost associated with commissioning expert advice is onerous. Are there skilled, experienced and technically competent people capable of advising the Council and landowners on these provisions in a timely and efficient manner?	Review the extent, complexity and information requirements for Farm Environment Plans to reduce potential consultancy, compliance and audit costs to the landowner and regulator.
	Point 2(b) A description of setbacks and riparian management. The practicality of these provisions applying on a property basis; namely grazing setbacks of 1 metre achieved through fencing for land less than 15 degrees, and 3 metres for land between 15-25 degrees. The rationale for the minimum cultivation setback of 5 metres.	Review to simplify the extent, complexity and information requirements.  Justify the current approach in terms of the effectiveness and efficiency tests under section 32. Work with landowners, sector groups and communities to provide alternative practicable measures to achieve the same environmental outcomes.

SOUTH WAIKATO DISTRICT COUNCIL SUBMISSION – APPENDIX 1

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO RULES	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT SOUTH WAIKATO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
Rule 3.11.5 (comprising Rules 3.11.5.1-3.11.5.7)	<p>Oppose in part.</p> <p>There is an onerous and annual obligation on every landowner running a primary production enterprise to comply with these rules and conditions/standards. Proof of compliance may be at one point in time during the farming year and these rules do not take into account the dynamic nature of these farming enterprises.</p> <p>The costs associated with landowner reporting underpinned by the need for and cost associated with commissioning expert advice is onerous.</p> <p>It has not been adequately demonstrated that the s32 effectiveness and efficiency ‘tests’ support the adoption of all these rules and thresholds and how these rules will and can be enforced to assure their compliance.</p>	<p>Review the suite of rules to ensure rules that are understandable, robustly formulated, practical and able to be implemented by land owners and managers to achieve compliance and enforceable by the regulator.</p> <p>Examine alternative approaches that incorporate the use of performance standards for the range of primary production activities that are able to establish as ‘small and low intensity farming activities’ (currently defined under Rules 3.11.5.1 and 3.11.5.2) throughout the region.</p>
Rule 3.11.5.1 Permitted Activity Rule-Small & Low Intensity farming activities	<p>Point 4:</p> <p>Support in part</p> <p>4. Amend the provision: <i>The farming activities do not form part of an enterprise being undertaken on more than one property to make the provision specific to the two catchments only in the Plan Change area</i></p>	<p>Point 4 is amended to read:</p> <p><i>4. The farming activities do not form part of an enterprise being undertaken on more than one property within the Waikato River and or Waipa River catchments.</i></p>
	<p>Point 5.</p> <p>Support in part.</p> <p>The term “<i>grazed land</i>” is not defined or described. It is necessary to define this term to improve the understanding and administration of this clause.</p>	<p>Point 5 is amended to clarify the meaning of the term ‘grazed land’ to mean <i>land that is fenced and in pasture throughout most/all of the year.</i></p>
	<p>Point 5:</p> <p>Oppose in part.</p> <p>Clarification of how this threshold of ‘<i>6 stock units per hectare</i>’ was determined.</p>	<p>Evidence that the section 32 rationale confirms this is the preferred approach to adopt to achieve the objectives of the Vision and Strategy.</p>
	<p>Point 6:</p> <p>Support in part.</p> <p><i>No arable cropping occurs</i></p> <p>Clarification of when and how this performance standard is to be applied by the landowner and the regulator.</p> <p>Clarification of why this performance standard was adopted considering section 32 effectiveness and efficiency tests.</p>	<p>Review the reasons for the adoption of this performance standard.</p> <p>Confirm that the approach meets the section 32 efficiency and effectiveness tests, otherwise delete the standard</p>

SOUTH WAIKATO DISTRICT COUNCIL SUBMISSION – APPENDIX 1

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO RULES	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT SOUTH WAIKATO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
	Farming is a dynamic land use and varies in response to a variety of pressures annually and seasonally. Stock carrying capacity and land under arable cropping varies throughout the year and from year to year.	
	Point 7: Support in part. <i>7. The farming activities do not form part of an enterprise being undertaken on more than one property</i>	Point 7 is amended to read: <i>7. The farming activities do not form part of an enterprise being undertaken on more than one property <u>within the Waikato River and or Waipa River catchments.</u></i>
Rule 3.11.5.2 Permitted Activity Rule-Other farming activities	Introductory sentence. Support in part: Clarify how this threshold of '6 stock units per hectare' was determined for a permitted activity; and Clarify what the phrase "...is used for arable cropping" means and how this provision will be applied.	Review the reasons for the adoption of these performance standards. Confirm that the approach meets the section 32 efficiency and effectiveness tests, otherwise delete the standard.
	Point 3a. Support in part. Amend the provision: <i>The farming activities do not form part of an enterprise being undertaken on more than one property</i> to make the provision specific to the two catchments only in the Plan Change area.	Add the words (underlined): <i>The farming activities do not form part of an enterprise being undertaken on more than one property <u>within the Waikato River and Waipa River catchments.</u></i>
	Point 3b.i and ii. Oppose the adoption of the term 'at 22 October 2016'. What does this actually mean for determining compliance and enforcement.	Review the reasons for the adoption of these performance standards. Confirm that the approach meets the section 32 efficiency and effectiveness tests, otherwise delete the standard.
	Point 4a. Oppose. What is the Nitrogen Reference Point and is it to be applied as a standard requiring compliance or is it to be treated as a guideline?	Review the reasons for the adoption of this performance standard as a condition for a permitted activity. Confirm that the approach meets the section 32 efficiency and effectiveness tests, otherwise delete the standard.
	Point 4c. Oppose. <i>No part of the property or enterprise over 15 degrees slope is cultivated or grazed.</i> What does this provision actually mean for determining compliance by the landowner and enforcement by the regulator?	Review the reasons for the adoption of this performance standard as a permitted activity. Confirm that the approach meets the section 32 efficiency and effectiveness tests, otherwise delete the standard
	Point 4e.i and ii. Oppose.	Review the reasons for the adoption of these performance standards as a permitted activity.

SOUTH WAIKATO DISTRICT COUNCIL SUBMISSION – APPENDIX 1

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO RULES	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT SOUTH WAIKATO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
	The 5 metre and 3 metre separation distances from nominated water bodies is at variance to South Waikato District plan rules for riparian management under Rule 28.	Confirm that the approach meets the section 32 efficiency and effectiveness tests, otherwise delete the standard.
	Point 4d. Oppose. <i>No winter forage crops are grazed in situ.</i> What is the rationale and s32 justification for this intervention.	Review the reasons for the adoption of this performance condition as a permitted activity. Confirm that the approach meets the section 32 efficiency and effectiveness tests, otherwise delete the standard.
	Point 5a.-c. Oppose. Annual reporting. What is the rationale and s32 justification for this intervention.	Review the reasons for the adoption of this performance condition for a permitted activity. Confirm that the approach meets the section 32 efficiency and effectiveness tests, otherwise delete the standard.
Rule 3.11.5.4 Controlled Activity-Farming Activities with a Farm Environment Plan not under a Certified Industry Scheme	Oppose in part. The adoption of ‘grandparenting’ nitrogen leaching when read in relation to Schedule C. This means the right to pollute is retained by the biggest polluters. The Council questions the fairness of this approach and promotes alternative approaches to address sustainable land and water management. There is insufficient justification in terms of section 32 to support this.	An allocation approach with rules and performance standards to manage nutrient discharges and water quality. Work with landowners, sector groups and communities to provide alternative practicable measures to achieve the same environmental outcomes.
Rule 3.11.5.7 Non-Complying Activity Rule-Land Use Change	Oppose. The Plan Change establishes the ‘existing environment’ to 22 October 2016 being the date of public notification of the Change. This in turn establishes the permitted baseline but is either a landowner or the regulator confident of this benchmark being established and agreed through the passage of the ten-year planning horizon. The rule effectively places a moratorium on land use change during the first ten-year planning horizon. The adoption of ‘grandparenting’ land use means the past or current use of land will govern its future use and this is contrary to the purpose of sustainable resource management. The Council questions the fairness of this approach and re-iterates the community’s desire to promote alternative approaches to address sustainable land and water management. There is insufficient justification in terms of section 32 to support this ‘high’ activity status of Non-Complying.	Review the reasons for the adoption of this approach and the justification under section 32 regarding the efficiency and effectiveness of this method and rule. Provide for the Land Use Change Rule to be at least (meaning no more restrictive than) Discretionary Activity. Work with landowners, sector groups and communities to provide alternative practicable measures to achieve the same environmental outcomes.

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## **Appendix 2: Our District – An Economic and Community Profile**

South Waikato District has the Waikato River as its western boundary for over 94 kms. The Upper Waikato River catchment that forms part of the catchment subject to the Plan Change (defined as being from Taupo Gates to Karapiro) covers a substantial part of the district. Approximately 66% of the district's land area is directly affected by the provisions of the Proposed Plan Change. Conversely, approximately 34% of the district's land is outside the Waikato catchment and therefore is not affected directly by the provisions of the Plan Change.

Some 337 (or 65%) of the total 525 dairy farms in the district are in the catchment affected by this Plan Change (Source: South Waikato District Council rating base). This equates to approximately 49,000 hectares or 72% of dairying land being in the affected catchment. Approximately 2,900 hectares could be categorised as multiple Maori owned land (Source: South Waikato District Council database). Approximately 88,000 hectares of land is in forestry of which approximately 71% or 63,000 hectares of forested land is in the affected catchment (Source: South Waikato District rating base).

The district has a total population of 22,071 (2013 Census) and approximately 79% (17,400) is resident within the catchment. Between 2006-2013, the district experienced a 1% annual population decline. This population loss has been focused mainly on Tokoroa while the rural population has remained relatively stable. Only in recent years has the District been able to reverse this decline in population, so the estimated population in 2015 is 23,800.

Infometrics reports prepared for the District show:

- The median age is 34 years for the South Waikato population compared with 38 years for New Zealand, with almost 16% aged over 65 years (compared with the national figure of 14.3%), and with 23.6% of people aged under 15 years (compared with the national average of 20.4%);
- The median income of the working aged population is \$23,700 compared to \$28,500 for all of New Zealand;
- The unemployment rate in the District is 11.7% compared with 7.1% for all of New Zealand;
- The main employment sectors are agriculture and forestry (20% compared to the New Zealand average of 6%), manufacturing (19% compared to 11% nationally), and education and training (12% compared to the national average of 9%); and
- The biggest contributor to economic growth from 2005-2015 is the Agriculture, Forestry (and Fishing) sector that made a contribution of \$59million or 32% of the District's GDP.

However, the South Waikato is also characterised by existing high levels of deprivation and, for example, Tokoroa is classified as a decile 10 community (the most deprived). Any prospect for further job losses will adversely and significantly impact our community, further reduce the working aged population in employment and adversely affect the resilience of the largest town in the district.

The District Council vision responds to this reality: "Healthy people striving in a safe, vibrant and sustainable community" and nine strategies are in place to give meaning to the vision and to promote a sense of identity for the residents of the district. Further, four of the thirteen objectives of Te Ture Whaimana (namely Objectives C, D, J and K) also relate to promoting social and economic sustainability, in addition to improving water quality.

The District Council submission has been prepared 'looking through the lens' of these District aspirations.

